No. 7100031

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Keystone Seed Company

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF seventeen YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

BEAN

Lake Erie

In Testimony Whereof, *I have hereunto set my hand and caused the seal of the* Plant Variety Protection Office *to be affixed at the City of* Washington, D.C. *this* 12th *day of* August *in the year of our Lord one thousand nine hundred and* seventy four.

Attest:

Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

Secretary of Agriculture

FORM GR-470
(12-15-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

FORM APPROVED
OMB NO. 40-R3712

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

INSTRUCTIONS: *See Reverse.*

1. VARIETY NAME OR TEMPORARY DESIGNATION	2. KIND NAME	FOR OFFICIAL USE ONLY
Lake Erie	Bush Bean	PV NUMBER 7131
3. GENUS AND SPECIES NAME	4. FAMILY NAME *(Botanical)*	FILING DATE 2/26/71 / TIME 10 A.M. P.M.
Phaseolus vulgaris	Leguminosae	FEE RECEIVED $ 250.00 $ 250.00 $ 250.00 / BALANCE DUE $ $ $
	5. DATE OF DETERMINATION: November 1969	

6. NAME OF APPLICANT(S)	7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)	8. TELEPHONE AREA CODE AND NUMBER
Keystone Seed Co.	9870 Fairview Rd.,Hollister,Calif. 95023	408 637-5781

9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: *(Corporation, partnership, association, etc.)*	10. STATE OF INCORPORATION	11. DATE OF INCORPORATION
Corporation	California	11/23/55

12. Name and mailing address of applicant representative(s), if any, to serve in this application and receive all papers:

Albert E. Braun
Same

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- [X] 13A. Exhibit A, Origin and Breeding History of the Variety (See *Section 52 of the Plant Variety Protection Act.*)
- [X] 13B. Exhibit B, Botanical Description of the Variety
- [X] 13C. Exhibit C, Objective Description of the Variety
- [X] 13D. Exhibit D, Data Indicative of Novelty
- [X] 13E. Exhibit E, Statement of the Basis of Applicant's Ownership

14A. Does the applicant(s) specify that seed of this variety be sold by variety name only as a class of certified seed? *(See Section 83(a). (If "Yes," answer 14B and 14C below.),* [ ] YES [X] NO

14B. Does the applicant(s) specify that this variety be limited as to number of generations? [ ] YES [ ]

14C. If "Yes," to 14B, how many generations of production beyond breeder seed? NO [ ] FOUNDATION [ ] REGISTERED [ ] CERTIFIED

The applicant declares that a viable sample of basic seed of this variety will be deposited upon request before issuance of a certificate and will be replenished periodically in accordance with such regulations as may be applicable.

The undersigned applicant(s) of this sexually-reproduced novel plant variety believes that the variety is distinct, uniform, and stable as required in Section 41 and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act.

Applicant is informed that false representation herein can jeopardize protection and result in penalties.

February 23, 1971
(DATE)

Ted Waldo Pohmert
(SIGNATURE OF APPLICANT)
President

(DATE)

(SIGNATURE OF APPLICANT)

1

INSTRUCTIONS

GENERAL: Send an original copy of the application, exhibits and $250.00 fee to U.S. Dept. of Agriculture, Agricultural Marketing Service, Grain Division, 6525 Belcrest Road, Hyattsville, Maryland 20782. (See Section 180.175 of the regulations and rules of practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

5 Insert the date the applicant determined that he had a new variety based on the definition in Section 41 (a) of the Act and decision is made to increase the seed.

13a First, give the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method. Second, give the details of subsequent stages of selection and multiplication. Third, indicate the type and frequency of variants during reproduction and multiplication and state how these variants may be identified. Fourth, provide evidence on stability.

13b First, give any special characteristics of the seed and of the plant as it passes through the seedling stage, flowering stage and the fruiting stage. Second, describe the mature plant and compare it with a similar commercial variety grown under the same conditions, and indicate the differences.

13c A supplemental form will be furnished by the PVPO to describe in detail a variety for each kind of seed.

13d Provide complete data indicative of novelty. Seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty may be submitted. Seeds submitted may be sterile.

13e Indicate whether applicant is the actual breeder, the employer of the breeder, the owner through purchase or inheritance, etc.

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

VARIETY - LAKE ERIE PVPO 7131

Exhibit 12A

Origin and Breeding History of the Variety.

Lake Erie originated from a hand pollinated cross between BT70-1 (a selection of a white seeded bean found in a commercial field of GV50) and Blue Lake 240. Cross was made in 1964 and selections were made from the F2 to F6 for upright bush, medium size stiff plants with pods high in the plant. Selection was also made for medium length, straight pods. Further tests were made from the F6 to the F11 to establish stability. Some of the seeds carried the recessive gene for wax plants. These plants were removed through a series of progeny testing. Comparatively small leaflets was a characteristic that was carried through the generations.

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

VARIETY - LAKE ERIE PVPO 7131

Exhibit 12B

The seed of Lake Erie is white and shiny with a narrow hilar ring. Vein like undercoat pattern is practically absent. The seed in hilar and cross-section view is elliptical, while the side view is oval.

The seed of Lake Erie is smaller than that of Lake Shasta:

Lake Erie averages 25 g./100 seeds

Lake Shasta averages 32 g./100 seeds

Seedling stage of growth is normal for green bush beans. Hypocotyl is greenish and anthocyanin pigment is absent.

The flowers of Lake Erie are white and the racemes are relatively short. The usual number of flowers per raceme is 5 for Lake Erie with a range of 3 to 9. The number of flowers per raceme for Lake Shasta is 6.

The fresh pods are medium green, very straight, stringless and average 12 cm. in length for 6 sieve with an upper range of 14 cm. In comparison, the pods of 6 sieve Lake Shasta average 14 cm. in length with an upper range of 16 cm. The average pod length of Lake Erie for the various sieve size is shorter than for Lake Shasta:

Sieve Size	Lake Erie	Lake Shasta
3	6 cm.	9 cm.
4	9 cm.	11 cm.
5	10 cm.	13 cm.
6	12 cm.	14 cm.

In other pod characteristics Lake Erie is similar to Lake Shasta.

The gross morphology of the mature plant most closely resembles Lake Shasta except that Lake Erie plants are smaller in height and spread under the same growing conditions.

Lake Erie - 42 cm. tall x 45 cm. wide

Lake Shasta - 44 cm. tall x 48 cm. wide

Lake Erie leaflets are relatively small and similar to Lake Shasta; however, the small leaflets distinguish it from many other commercial green podded bean varieties. For example, in comparison to Bush Blue Lake 274:

Lake Erie leaflet - 10 cm. long x 7.5 cm. wide

Bush Blue Lake 274 leaflet - 11.5 cm. long x 10 cm. wide

Pod position is high concentrated under rapid growing conditions, but may be low concentrated under poor or slow growing conditions.

Lake Erie also differs in being 2 days earlier than Lake Shasta.

Lake Erie is a bush snapbean which grows best during the summer and is adapted to most regions.

FORM APPROVED. OMB NO. 40-R3712

FORM GR-470-12
(11-15-72)

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
GRAIN DIVISION
HYATTSVILLE, MARYLAND 20782

EXHIBIT C
(Bean)

OBJECTIVE DESCRIPTION OF VARIETY

INSTRUCTIONS: See Reverse.

BEAN (*PHALEOLUS VULGARIS*)

NAME OF APPLICANT(S)
KEYSTONE SEED CO.

ADDRESS (*Street and No. or R.F.D. No., City, State, and ZIP Code*)
9870 Fairview Road
Hollister, California 95023

FOR OFFICIAL USE ONLY

PVPO NUMBER
7131

VARIETY NAME OR TEMPORARY DESIGNATION
Lake Erie

Place the appropriate number that describes the varietal character of this variety in the boxes below.
Place a zero in first box (e.g. [0][8][9] or [0][9]) when number is either 99 or less or 9 or less.

1. TYPE:

[1] 1 = SNAPBEAN 2 = GREEN SHELL 3 = DRY EDIBLE 4 = MULTIPURPOSE

2. SEASON AND REGION OF ADAPTABILITY IN THE U.S.:

[2] Grows best during: 1 = SPRING 2 = SUMMER 3 = FALL 4 = WINTER

[6] Best adapted in: 1 = NORTHWEST 2 = NORTHCENTRAL 3 = NORTHEAST 4 = SOUTHEAST 5 = SOUTHWEST 6 = MOST REGIONS

3. MATURITY (*Days from seeding to first harvest*):

[6][3] GREEN PODS [ ][ ] GREEN SHELLS [9][0] DRY SEEDS

[0][6] NO. DAYS EARLIER THAN ---------- [7][8]
[0][2] NO. DAYS LATER THAN ---------- [8]

1 = TENDERCROP 2 = KENTUCKY WONDER 3 = KINGHORN WAX
4 = WHITE KIDNEY 5 = MICHELITE 62 6 = DWARF HORTICULTURAL
7 = BUSH BLUE LAKE 8 = OTHER (*Specify*) Olympia

4. PLANT:

[1] 1 = DETERMINATE, ERECT BUSH 2 = DETERMINATE, SPRAWLING BUSH 3 = DETERMINATE, SEMIPOLE 4 = INDETERMINATE, POLE

[0][4][2] CM. HEIGHT OR LENGTH OF VINE FROM PRIMARY LEAF NODE

[0][0][4] NUMBER PRIMARY BRANCHES PER MAIN STALK

[4][5] CM. SPREAD

[1] Branching habit: 1 = COMPACT 2 = OPEN

[0][5] NUMBER INTERNODES ON MAIN STALK BETWEEN PRIMARY LEAF AND BASE OF TERMINAL INFLORESCENCE

[0][1] CM. LENGTH OF FIRST INTERNODE ABOVE PRIMARY LEAF

[0][5] MM. STALK DIAMETER ABOVE FIRST TRIFOLIATE LEAF

[1] Main stalk: 1 = BRITTLE 2 = WIREY [1] 1. STOUT 2. THIN

[2] Flower position:
[2] Pod Position:
1 = LOW, CONCENTRATED 2 = HIGH, CONCENTRATED 3 = SCATTERED

5. LEAVES:

[1] 1 = SMOOTH 2 = WRINKLED [1] 1 = DULL 2 = GLOSSY [1] Thickness: 1 = THIN 2 = MEDIUM 3 = THICK

[1] Size: 1 = SMALL (*Earliwax*) 2 = MEDIUM 3 = LARGE (*Tendercrop*) [13] CM. PETIOLE LENGTH (*To basal leaflets of first trifoliate leaf*)

[2] Tip shape of center leaflet: 1 = ROUNDED 2 = TAPER POINTED 3 = SHARP POINTED

[2] PUBESCENCE - Dorsal:
[1] PUBESCENCE - Ventral:
1 = NONE 2 = SLIGHT 3 = CONSIDERABLE

[1] Color: 1 = LIGHT GREEN (*Bountiful*) 2 = MEDIUM GREEN 3 = DARK GREEN (*Bush Blue Lake*)

5

6. FLOWERS:

[1] Color: 1 = WHITE 2 = CREAM 3 = PINK 4 = LILAC 5 = PURPLE
6 = OTHER *(Specify)*_____

[3] Racemes: 1 = LONG 2 = MEDIUM 3 = SHORT [5] NUMBER FLOWERS PER RACEME

7. FRESH PODS: ***(Edible maturity, averages for 10 pods)***

[1] Color: 1 = LIGHT GREEN *(Bountiful)* 2 = MEDIUM GREEN *(Tendergreen)* 3 = DARK GREEN *(Wade)*
4 = LIGHT YELLOW *(Brittlewax)* 5 = GOLDEN YELLOW *(Cherokee Wax)* 6 = GREEN-RED VARIAGATED *(Horticultural)*
7 = OTHER *(Specify)* _____

[1][1] CM. LENGTH [0][9] MM. WIDTH *(Between sutures)* [0][9] MM. THICKNESS [1][0] WIDTH / THICKNESS X 10

[4] Cross section pod shape: 1 = FLAT 2 = OVAL 3 = CREASEBACK 4 = ROUND

[1] Curvature: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] Pubescence: 1 = NONE 2 = SPARSE 3 = CONSIDERABLE

[1] Constrictions: 1 = NONE 2 = SLIGHT 3 = DEEP

[1] Spur: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED

[2] Surface: 1 = SHINY 2 = DULL

[1] Surface: 1 = SMOOTH 2 = BLISTERED

[2] Pod flesh: 1 = LIGHT 2 = DARK

[1] Pod flesh: 1 = FIRM 2 = WATERY

[5] MM. SPUR LENGTH

[2] Suture string: 1 = PRESENT 2 = ABSENT

[1] Fiber: 1 = NONE 2 = SPARSE 3 = CONSIDERABLE

[2] Seed development: 1 = SLOW 2 = MEDIUM 3 = FAST

[5] NUMBER OF SEEDS PER POD

[14] NUMBER PODS PER PLANT *(Once over harvest)*

[12] NUMBER MARKETABLE PODS PER PLANT *(Once over harvest)*

[1] Machine harvest: 1 = ADAPTED 2 = NOT ADAPTED

8. SEED COAT COLOR:

[1] 1 = MONOCHROME 2 = POLYCHROME

[1] 1 = SHINY 2 = DULL

[ ] Primary color: 1 = WHITE 2 = YELLOW 3 = BUFF 4 = TAN
[ ] Secondary color: 5 = BROWN 6 = PINK 7 = RED 8 = PURPLE
9 = BLUE 10 = BLACK 11 = OTHER *(Specify)*_____

[ ] Color pattern: 1 = SPLASHED 2 = MOTTLED 3 = STRIPED 4 = FLECKED 5 = DOTTED

[ ] Secondary color location: 1 = HILAR RING 2 = HILAR SURFACE
3 = STROPHIOLE 4 = MICROPYLE
5 = SIDES 6 = DORSAL SURFACE
7 = NOT RESTRICTED TO ANY AREA 8 = COMBINATION OF LOCATIONS *(Specify)*_____

[2] Hilar ring: 1 = NOT PRESENT 2 = NARROW 3 = BUTTERFLY SHAPED

[1] Vein-like under coat pattern: 1 = ABSENT 2 = PRESENT

9. SEED SHAPE AND SIZE:

[1] Hilum view: 1 = ELLIPTICAL 2 = OVAL 3 = ROUND

[0] Side view: 1 = OVAL 2 = ROUND 3 = KIDNEY 4 = TRUNCATE ENDS

[1] Cross section: 1 = ELLIPTICAL 2 = OVAL 3 = CORDATE 4 = ROUND

[28] GM. WEIGHT PER 100 SEEDS

[2] Classification: 1 = PEA 2 = MEDIUM 3 = MARROW 4 = KIDNEY 5 = PINTO

[0][6] MM. WIDTH *(Dorsal to ventral)*

[0][4] MM. THICKNESS *(Side to side)*

[0][9] MM. LENGTH

[0][1][5] WIDTH / THICKNESS X 10

10. ANTHOCYANIN: *(1 = Absent 2 = Present):*

[1] FLOWERS	[1] STEMS	[1] PODS	[1] SEEDS	[1] LEAVES

11. DISEASE RESISTANCE *(0 = Not tested; 1 = Susceptible; 2 = Resistant):*

[0]	RUST *(Specify race)* _____	[0]	ANGULAR LEAF SPOT
[0]	BACTERIAL WILT	[1]	COMMON BEAN MOSAIC
[0]	ANTHRACNOSE	[0]	YELLOW BEAN MOSAIC
[0]	SOUTHERN BEAN MOSAIC	[0]	FUSARIUM ROOT ROT
[0]	CURLY TOP	[1]	N.Y. 15 BEAN MOSAIC
[0]	POWDERY MILDEW	[0]	BEAN MOSAIC VIRUS 4
[0]	HALO BLIGHT	[0]	FUSCOUS BLIGHT
[0]	ALFALFA MOSAIC VIRUS	[0]	ALFALFA MOSAIC VIRUS 2
[0]	POD MOTTLE VIRUS	[0]	RED NODE VIRUS
[0]	ROOT KNOT NEMATODE	[0]	OTHER *(Specify)* _____

12. INSECT RESISTANCE: *(0 = Not tested; 1 = Susceptible; 2 = Resistant)*

[0]	APHIDS	[0]	LEAF HOPPERS
[0]	POD BORER	[0]	LYGUS
[0]	THRIPS	[0]	WEAVILS
[0]	SEED CORN MAGGOT	[0]	OTHER *(Specify)* _____

13. PHYSIOLOGICAL RESISTANCE: *(0 = Not tested; 1 = Susceptible; 2 = Resistant)*

[0] HEAT	[0] COLD	[0] DROUGHT	[0] OTHER *(Specify)* _____

REFERENCES: The following publications may be used as a reference in completing this form:

1. Beans of New York. Vol. 1 Part II of Vegetables of New York. U.P. Hedrick et al. J. B. Lyon Company, Albany, N.Y. 1931.

2. Yarnell, S. H., Cytogenetics of the Vegetable Crops IV. Legumes. Bot. Rev. 31:247 - 330. 1965.

3. USDA Yearbook of Agriculture. 1937.

COLOR: Nickerson's or any recognized color fan may be used to determine the colors.

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

VARIETY - LAKE ERIE PVPO 7131

Exhibit 12D

Data Indicative of Novelty.

Novelty is based on the unique following characteristics:

Lake Erie most closely resembles Lake Shasta, except that it matures 2 days earlier; plants are slightly smaller:

Lake Erie - 42 cm. tall x 45 cm. across

Lake Shasta - 44 cm. tall x 48 cm. across

Average pod length of Lake Erie is shorter:

Sieve Size	Lake Erie	Lake Shasta
3	6 cm.	9 cm.
4	9 cm.	11 cm.
5	10 cm.	13 cm.
6	12 cm.	14-15 cm.

Seed size is smaller:

Lake Erie - 28 g./100 seeds

Lake Shasta - 32 g./100 seeds

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

VARIETY - LAKE ERIE PVPO 7131

Exhibit 12E

Statement of Applicant's Ownership.

Keystone Seed Co. believes it is the sole, original, and first breeder of Lake Erie variety of bush bean for which it solicits a certificate of protection.

PLANT VARIETY PROTECTION CERTIFICATE

ASSIGNMENT

The Sunseeds Division of Agrigenetics Corporation, a Delaware corporation having a place of business at 3575 Mitchell Lane, Boulder, Colorado 80301 ("Agrigenetics"), represents that it is the owner of the entire right, title and interest in and to the plant variety protection certificates and applications for plant variety protection certificates shown below.

For good and valuable consideration, receipt of which is hereby acknowledged, Agrigenetics hereby assigns to UF Genetics, Inc., a Delaware corporation having a place of business at 9800 Fairview Road, Hollister, California 95024, Agrigenetics' entire right, title and interest in and to the following plant variety protection certificates and applications therefore, together with all Agrigenetics' rights to the sexually reproduced plants that are the subject of such certificates and applications:

I. Registered Certificates

Title	Certificate Number	Date
Empress	7900045	4/15/82
9014	Ap8100174	9/28/81
9293	Ap8100175	9/28/81
9400	Ap8200007	10/22/81
Paymaster	7600058	12/7/77
Lakeland	7600059	1/26/78
Triumph	7600061	12/30/77
Broker's Choice	8100175	4/28/83
Profit Maker	8100174	4/28/83
Shannon	8200007	4/28/83
Sunrise	7100029	6/24/74
Lake Shasta	7100030	8/12/74
Lake Erie	7100031	8/12/74
Rebel	7100033	9/30/74
Lake Superior	7100034	5/21/74
Miami	7100036	2/28/74
Lake Geneva	7200068	5/21/74
Scanion	7300001	11/15/74
Picoverde	7300016	4/10/73
Raider	7400069	7/26/74

Lake Largo	7400104	9/30/74
Lake Seneca	7500096	11/24/75
Chaparral	7600052	5/16/77
Costaverde	7600053	8/24/77
Gustoverde	7600054	8/24/77
Mesaverde	7600055	5/31/77
Conquest	7700058	7/26/77
Commander	7900067	7/26/79
Keygold	8000111	10/16/80
Snapbean, Exp.163	7600058	12/7/77
Snapbean, Exp.195	7600059	1/6/78
'Green Genes' Bean	7600060	12/7/77
Snapbean, Exp.116-0	7600061	12/30/77
Mikado (AVX 450)	Ap8400037	12/30/83
Mystro	8500064	4/16/85

II. Pending Certificate Applications

Title	Application Number	Filing Date
Cajun Queen	Pending	--
Mendota	Pending	--
Sunset	Pending	--
Alpine	Pending	--
Polaris	Pending	--

AGRIGENETICS CORPORATION

By: Murray Palmer

Title: Executive Vice President

COMMONWEALTH OF MASSACHUSETTS)

County of Suffolk)

On this 30th day of April, 1986, before me appeared Jeffrey Johnson, the person who signed this instrument, who acknowledged that he signed it as a free act on behalf of Agrigenetics Corporation.

Susan I Smith

Notary Public
My Commission Expires: [illegible]

From Technology To Life

P.O. Box 1438, 2320 Technology Parkway, Building 11 Suite A, Hollister, CA 95024-1438 USA 408/636-9505 TWX 910-3720254

June 7, 1988

Kenneth H. Evans, Commissioner
Plant Variety Protection Office
National Agriculture
Library Building, Room 500
Beltsville, MD 20705

Re: Change of Assignment.

Dear Mr. Evans:

This letter is in reference to your correspondence to me, dated July 14, 1987. I wish to make it clear that this change of assignment is to indicate a name change only, from U.F. Genetics, Inc. to Sunseeds Genetics, Inc.

Also, in reference to 'Mystro' tomato, have Item 1 read Sunseeds Genetics, Inc. and issue the certificate to Sunseeds Genetics, Inc.

Enclosed please find a check in the amount of $170.00 to cover the cost of changing the certificates.

Title	Certificate No.	Date
Empress	7900045	4/15/82
9014	Ap8100174	9/28/81
9293	Ap8100175	9/28/81
9400	Ap8200007	10/22/81
Paymaster	7600058	12/7/77
Lakeland	7600059	1/26/78
Triumph	7600061	12/30/77
Broker's Choice	8100175	4/28/83
Profit Maker	8100174	4/28/83
Shannon	8200007	4/28/83
Sunrise	7100029	6/24/74
Lake Shasta	7100030	8/12/74
Lake Erie	7100031	8/12/74
Rebel	7100033	9/30/74
Lake Superior	7100034	5/21/74

SUNSEEDS

Title	Certificate No.	Date
Miami	7100036	2/28/74
Lake Geneva	7200068	5/21/74
Scanion	7300001	11/15/74
Picoverde	7300016	4/10/73
Raider	7400069	7/26/74
Lake Largo	7400104	9/30/74
Lake Seneca	7500096	11/24/75
Chaparral	7600052	5/16/77
Costaverde	7600053	8/24/77
Gustoverde	7600054	8/24/77
Mesaverde	7600055	5/32/77
Conquest	7700058	7/26/77
Commander	7900067	7/26/79
Keygold	8000111	10/16/80
Snapbean, Exp. 163	7600058	12/7/77
Snapbean, Exp. 195	7600059	1/6/78
'Green Genes' Bean	7600060	12/7/77
Snapbean, Exp. 116-0	7600061	12/30/77
Mikado (AVX 450)	Ap8400037	12/30/83

Sincerely,

Gene Hookstra
Vice President, Research

GH/mo

enc: Check
Copy of Correspondence from K.H. Evans

7100031

BILL OF SALE AND ASSIGNMENT

FOR VALUE RECEIVED, Sunseeds Genetics Inc, a Delaware Corporation, with its principal offices at 2320 Technology Parkway, Hollister, California, ("Sun") does hereby sell, transfer, assign and convey to Rogers Brothers Seed Company, a Delaware Corporation with principal offices at 1755 Westgate Drive, Boise, Idaho, ("Rogers") the following:

1. All Suns intangible assets relating to its pea, snap pea, garden bean, runner bean, cow pea, dry bean, and lima bean business ("Products").

2. All plant variety protection rights and all plant variety protected materials along with the rights to use the names thereof including all varieties listed on Schedule A attached hereto and incorporated herein by this reference.

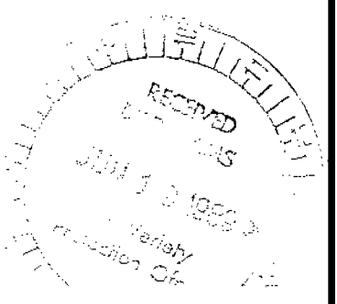
3. All proprietary plant varieties and all other proprietary information relating thereto which are related to Products.

4. All patents, patent application and patent applications relating to the Products.

5. All research property relating to Products including notebooks, findings, pedigrees, records of experiments and their results, seed stocks, know how, techniques, all other proprietary information in whatever form stored, germ plasm, the germ plasm uses, seed samples and their coding and indexing methods.

6. All trademarks, trade names, service marks and copyrights which apply to the Products excluding any name which includes the corporate name of Sun and its affiliates.

7. Any and all other intangible assets and property rights relating to Products not specifically mentioned herein.



SUNSEEDS GENETICS, INC.
PLANT VARIETY PROTECTION - USA
AS OF 8/10/88

Variety	Cert #	Issued	Expires	Issued To
Peas				
Alpine	8500101	09/27/85	09/27/03	Sunseeds, A Div. of Agri.
Blizzard	8700022	06/30/87	06/30/05	Sunseeds Genetics, Inc.
Mendota	AP 8500163	05/30/85		
Polaris	AP 8600017	11/12/85		
Sunset	8300074	04/30/84	04/30/02	Agrigenetics Corporation
Titania	AP 8200008	10/26/81		
Beans				
Brokers Choice	8100175	04/28/83	04/28/01	Agrigenetics Corporation
Conquest	7700058	07/26/77	07/26/94	Keystone Seed Co., Inc.
Empress	7900045	04/15/82	04/15/00	Agrigenetics Corporation
Green Genes	7600060	12/07/77	12/07/94	Northrup King
Keygold	8000111	10/16/80	10/16/97	Keystone Seed Co., Inc.
Lake Erie	7100031	08/12/74	08/12/91	Keystone Seed Co., Inc.
Lake Geneva	7200068	05/21/74	05/21/91	Keystone Seed Co., Inc.
Lake Largo	7400104	09/30/74	09/30/91	Keystone Seed Co., Inc.
Lake Seneca	7500096	11/24/75	11/24/92	Keystone Seed Co., Inc.
Lake Shasta	7100030	08/12/74	08/12/91	Keystone Seed Co., Inc.
Lake Superior	7100034	05/21/74	05/21/91	Keystone Seed Co., Inc.
Lakeland	7600059	01/26/78	01/26/95	Agrigenetics Corporation
Miami	7100036	02/28/74	02/28/91	Keystone Seed Co., Inc.
Mikado (AVX 450)	8400037	03/31/87	03/31/05	Sunseeds Genetics, Inc.
Paymaster	7600058	12/07/77	12/07/94	Agrigenetics Corporation
Profit Maker	8100174	04/28/83	04/28/01	Agrigenetics Corporation
Raider	7400069	07/26/74	07/26/91	Keystone Seed Co., Inc.
Rebel	7100033	09/30/74	09/30/91	Keystone Seed Co., Inc.
Shannon	8200007	04/28/83	04/28/01	Agrigenetics Corporation
Sunrise	7100029	06/24/74	06/24/91	Keystone Seed Co., Inc.
Triumph	7600061	12/30/77	12/30/94	Agrigenetics Corporation

AP = PVP applied for

SCHEDULE A

DATED this the 26 day of May, 1989.

SUNSEEDS GENETICS INC:

BY [signature]
its: Executive Vice President

ATTEST:

[signature]

State of CALIFORNIA)
)ss
County of SAN BENITO)

On this 26th day of May, 1989, before me, the undersigned Notary Public, personally appeared WILLIAM FRAZIER and ROBERT VAN MARTER known to me to be the EXECUTIVE V.P. and V.P. OF FINANCE respectively of the corporation that executed the instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal, the day and year in this certificate first above written.

OFFICIAL SEAL
CINDY J. ACTIS
NOTARY PUBLIC - CALIFORNIA
SAN BENITO COUNTY
My Comm. Expires Aug. 7, 1991

[signature]
Notary Public
Residing at: Hollister, CA
My commission expires: 8/7/91